

## REMARKS

In the Office Action mailed January 24, 2003, the Examiner rejected Claims 1-13 under 35 U.S.C. § 102(e) as being anticipated by Ghezze et al. (U.S. Patent No. 6,127,812) ("Ghezze"). To the extent that the rejection applies to the amended claims, Applicants respectfully traverse the rejection.

Applicants respectfully submit that amended Claim 1 recites the limitation that removing the sacrificial material comprises suspending the second structural material as a second structure coupled to the first structure.

Applicants respectfully submit that Ghezze teaches, substrate 214, first passivation layer 216, first capacitor plate 32, air gap 133, second capacitor plate 34, air gap 131, and third capacitor plate 30 (as shown in Figure 2). Applicants respectfully submit that Ghezze is directed to a dual-capacitor system (Ghezze, col. 3, lines 28-44), and that Ghezze teaches against electrical shorting between capacitor plates (Ghezze, col. 4, lines 36-44).

Applicants respectfully submit that Ghezze does not teach or suggest the desirability of suspending the second structural material as a second structure coupled to a first structure, since coupling the second structure to the first structure would short first capacitor plate 32 with second capacitor plate 34, and Ghezze teaches against shorting between capacitor plates (see above).

Applicants respectfully submit that dependent Claims 3-5 and 7 are allowable for at least the same reasons as allowable independent Claim 1, discussed above, from which Claims 3-5 and 7 depend. Applicants respectfully request that the Examiner withdraw the rejection to Claims 1, 3-5, and 7.

Applicants respectfully submit that amended independent Claim 8 recites the limitation that removing the sacrificial material comprises suspending the second structure by the first structure.

As discussed above, Ghezze does not teach or suggest the desirability of suspending the second structure by the first structure. Applicants respectfully submit

that Ghezze teaches against suspending the second structure by the first structure, since such an arrangement would cause electrical shorting between capacitor plates, which Ghezze teaches against (see above).

For at least the reasons stated above, Applicants respectfully submit that Ghezze does not anticipate independent Claim 8. Applicants respectfully submit that dependent Claims 10-12 are allowable for at least the same reasons as independent Claim 8, discussed above. Applicants respectfully request that the Examiner withdraw the rejection to Claims 8, and 10-12.

Attached hereto is a marked-up version of the changes made to the abstract and claims by the current amendment. The attached page is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE".

### CONCLUSION

In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record and are in condition for allowance, and such action is earnestly solicited at the earliest possible date.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

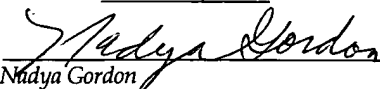
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Dated: 3/31/03

  
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CERTIFICATE OF MAILING:  
I hereby certify that this correspondence is being deposited as First Class Mail with the United States Postal Service in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on March 31, 2003.

  
Nadya Gordon

3/31/03  
Date

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS

The claims are amended as follows:

1. (Twice Amended) A method comprising:  
over an area of a substrate, forming a plurality of three dimensional first structures;  
following forming the first structures, conformally introducing a sacrificial material over the area of the substrate;  
introducing a second structural material over the sacrificial material;  
exposing a portion of the sacrificial material; ~~and~~  
removing the sacrificial material; and  
wherein removing the sacrificial material comprises suspending the second structural material as a second structure coupled to the first structure.
  
8. (Twice Amended) A method comprising:  
over an area of a surface of a substrate, lithographically patterning a plurality of first structures, the plurality of first structures having a first dimension about the surface of the substrate and a second different dimension;  
following forming the first structures, conformally introducing a sacrificial material layer over the area of the substrate;  
patterning the sacrificial material;  
forming second structures over the sacrificial material; ~~and~~  
removing the sacrificial material; and  
wherein removing the sacrificial material comprises suspending the second structure by the first structure.

Claims 6 and 13 are cancelled.